

KATHLEEN BLISS, ESQ.
Nevada Bar No. 7606
kb@kathleenblisslaw.com
JACQUELINE TIRINNANZI, ESQ.
Nevada Bar No. 13266
jt@kathleenblisslaw.com
KATHLEEN BLISS LAW PLLC
1070 W. Horizon Ridge Pkwy., Suite 202
Henderson, Nevada 89012
Telephone: 702.463.9074

Attorneys for Qing Shi

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

VS.

QING SHI,

Defendant.

CASE NO. 2:20-cr-00102-GMN-DJA

**STIPULATION TO CONTINUE MOTION
DEADLINES AND TRIAL DATES
(First Request)**

IT IS HEREBY STIPULATED by and between Kathleen Bliss, Esq. and Jacqueline Tirinnanzi, Esq., counsel for Defendant Qing Shi; and Kimberly Sokolich, Assistant United States Attorney, that the Court vacate its deadlines in this case and continue the motions deadline and trial date for at least 90 days. The parties thus stipulate that the calendar call currently scheduled for August 3, 2021, at 9:00 a.m., and the trial scheduled for August 9, 2021, at 9:00 a.m. (ECF No. 10), be vacated and reset on a date and time convenient to this Court, with trial scheduled to begin no sooner than November 2, 2021. It is further stipulated and agreed that the current pre-trial motions deadline of July 3, 2021 (ECF No. 13) be reset to a time no sooner than October 2, 2021.

The stipulation is entered for the following reasons:

1. Defendant Qing Shi is charged with Conspiracy to Distribute a Controlled

1 Substance (21 U.S.C. §§ 846(a)(1) and 841(b)(1)(A), and Distribution of a Controlled Substance
2 (21 U.S.C. §§ 841(a)(1) and 841(b)(1)(A)(viii).
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4 2. The Court set trial on August 9, 2021, with calendar call on August 3, 2021. (ECF
5 No. 10, Order Regarding Trial).
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7 3. Counsel for the defendant was court appointed on June 14, 2021 (ECF No. 12), at
8 which time counsel had the first meeting with Defendant Shi.
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10 4. The government provided discovery on June 24, 2021 and the defense requires
11 time to review the discovery.
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13 6. Failure to grant this continuance would deny counsel for the defendant the
14 reasonable time necessary for effective trial preparation, considering the exercise of due
15 diligence. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). Additionally, denial of this request for a
16 continuance would deny counsel for the defendant sufficient time to effectively and thoroughly
17 prepare and submit pretrial motions and notices of defense, taking into account the exercise of
18 due diligence.
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20 7. This is the first request for continuance of trial and pretrial motions deadlines.
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22 8. Defendant Shi is not in custody and do not object to this continuance.
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24 9. The denial of time requested by this stipulation could result in a miscarriage of
25 justice.
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27 10. The additional time requested by this stipulation is excludable in computing the
28 time within which trial must commence pursuant to the Speedy Trial Act, § 3161(h)(7)(A),
29 considering the factors under Title 18, United States Code §§ 3161(h)(7)(B)(i) and
30 3161(h)(B)(iv).
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1 /s/ Kimberly Sokolich

2 Kimberly Sokolich
3 Assistant U.S. Attorney

1 /s/Kathleen Bliss

2 Kathleen Bliss
3 Attorney for Qing Shi

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6 Dated this 25th June day of June 2021.

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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

CASE NO. 2:20-cr-00102-GMN-DJA

Plaintiff;

VS.

QING SHI

Defendant.

FINDINGS OF FACT, CONCLUSION OF LAW AND ORDER

FINDINGS OF FACTS

Based on the stipulation of counsel, good cause exists to continue the pretrial motions deadlines and trial date for 90 days. The additional time is to allow the government to produce discovery and to allow defense counsel sufficient time to review all discovery and to prepare for trial if this case cannot be resolved short of trial. The Court thus FINDS as follows:

1. Defendant Qing Shi is charged with Conspiracy to Distribute a Controlled Substance (21 U.S.C. §§ 846(a)(1) and 841(b)(1)(A), and Distribution of a Controlled Substance (21 U.S.C. §§ 841(a)(1) and 841(b)(1)(A)(viii).

2. The Court set trial on August 9, 2021, with calendar call on August 3, 2021. (ECF No. 10, Order Regarding Trial).

3. Counsel for the defendant was court appointed on June 14, 2021 (ECF No. 12), at which time counsel had the first meeting with Defendant Shi.

4. The government provided discovery on June 24, 2021 and the defense requires time to review the discovery.

6. Failure to grant this continuance would deny counsel for the defendant the reasonable time necessary for effective trial preparation, considering the exercise of due

diligence. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). Additionally, denial of this request for a continuance would deny counsel for the defendant sufficient time to effectively and thoroughly prepare and submit pretrial motions and notices of defense, taking into account the exercise of due diligence.

7. This is the first request for continuance of trial and pretrial motions deadlines.

8. Defendant Shi is not in custody and do not object to this continuance.

9. The denial of time requested by this stipulation could result in a miscarriage of justice.

10. The additional time requested by this stipulation is excludable in computing the time within which trial must commence pursuant to the Speedy Trial Act, § 3161(h)(7)(A), considering the factors under Title 18, United States Code §§ 3161(h)(7)(B)(i) and 3161(h)(B)(iv).

CONCLUSION OF LAW

For all the above-stated reasons, the ends of justice served by granting the requested continuance outweigh the best interest of the public and the defendant in a speedy trial, since the failure to grant a continuance would likely result in a miscarriage of justice, would deny parties sufficient time to prepare for trial, taking into account the exercise of due diligence.

The continuance requested by the parties is excludable under the Speedy Trial Act, Title 18, United States Code, Section (h)(7)(A), when considering the factors under Title 18, United States Code, Sections 3161(h)(7)(B)(i) and (iv).

ORDER

IT IS THEREFORE ORDERED by and between the parties herein, the deadlines for filing of any and all pretrial motions and notices of defenses are hereby due on or before the

1 15th day of October, 2021.

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3 **IT IS FURTHER ORDERED** that the deadlines for filing of responsive pleadings, are
4 hereby due on or before the 29th day of October, 2021.

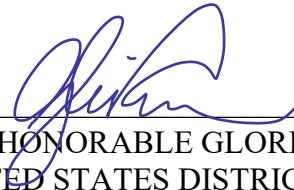
5 **IT IS FURTHER ORDERED** that the deadlines for filing any and all replies
6 to dispositive motions are hereby due on or before the 5th day of November, 2021.

7 **IT IS FURTHER ORDERED** that trial briefs, proposed voir dire, proposed jury
8 instructions, and a list of the government's prospective witnesses must be electronically
9 submitted to the Court on or before the 2nd day of December, 2021.

10 **IT IS FURTHER ORDERED** that the calendar call currently scheduled on August 3,
11 2021, is hereby vacated and reset to December 7, 2021, at 9:00 a.m. in Courtroom 7D.

12 **IT IS FURTHER ORDERED** that the trial currently scheduled on August 9, 2021, is
13 hereby vacated and reset to December 13, 2021, at 8:30 a.m. in Courtroom 7D.

14 DATED: July 1, 2021

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20 THE HONORABLE GLORIA NAVARRO
21 UNITED STATES DISTRICT JUDGE
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